WP(S) 1770/05 (6)

WP 13292/03

IN THE M.P. STATE ADMINISTRATIVE TRIBUNAL AT JABALPUR

O.A. NO. 102 OF 1999

Applicants :

1. Umesh Prasad Soni,
S/o Shri Pad Mohan Soni,
Working as Peon,
R/o Dokda, Tehsil Kunkuri,
District Jashpur, M.P.

2. Stephan Tigga,
S/o Shri Alphos Tigga,
Working as Peon,
R/o Korna, Tehsil Kunkuri,
District Jashpur (M.P.)

3. Munku Ram,
S/o Shri Sukdev Ram,
Working as Choukidar,
R/o Mendar Bahar, Tehsil
Kunkuri, District Jashpur(M.P.)

4. Jag Mohan Singh,
S/o Shri Baldev Ram,
Working as Rasoiya,
R/o Bagicha, Tehsil Bagicha,
District Jashpur (M.P.)

5. Kanhaiya Ram,
S/o Shri Ram Sharan,
Working as Waterman,
R/o Baisamuda, Tehsil Paththal-
Gaon, District Jashpur (M.P.)

6. Heera Ram,
S/o Shri Lokaram,
Working as Waterman,
R/o Devora, Tehsil Kunkuri,
District Jashpur (M.P.)

7. Sadanand Say,
S/o Shri Jaiman Say,
Working as Rasoiya,
R/o Sahilata, Tehsil Kunkuri,
District Jashpur (M.P.)

(7)

/2/

8. Manohar Lal Patel,
S/o Shri Mohan Kumar Patel,
Working as Waterman,
R/o Dharmjaygarh, Tehsil Dharmjaygarh, District Raigarh (M.P.)

9. Hoshiyar Lal,
S/o Shri Sidar Singh,
Working as Choukidar,
R/o Medharmar, Tehsil Dharmjaygarh,
District Raigarh (M.P.)

10. Bijeshwar Ram,
S/o Shri Sarbeel,
Working as Waterman,
R/o Rajhadand, Tehsil Kunkuri,
District Jashpur (M.P.)

11. Sahdev Ram,
S/o Shri Indranath Singh,
Working as Waterman,
R/o Godamba, Tehsil Kunkuri,
District Jashpur (M.P.)

12. Mahadev Ram,
S/o Shri Kular Ram,
Working as Waterman,
R/o Pharsajugain, Tehsil Bageecha,
District Jashpur (M.P.)

13. Mahto Ram,
S/o Shri Bajru Ram,
Working as Rasoiya,
R/o Kunmera, Tehsil Sitapur,
District Sarguja (M.P.)

14. Lalloo Ram,
S/o Shri Langthu Ram,
Working as Rasoiya,
R/o Kutma, Tehsil Bageecha,
District Jashpur (M.P.)

15. Jageshwar Das,
S/o Shri Ghasidas,
Working as Peon,
R/o Vijaynagar, Tehsil Dharmjaygarh, District Raigarh (M.P.)

16. Goverdhan Ram,
S/o Shri Ganeshi Ram,
Working as Choukidar,
R/o Lelunga, Tehsil Gharghora,
District Raigarh (M.P.)

17. Mohit Ram,
S/o Shri Ghasia Ram,
Working as Choukidar,
R/o Bhuiyapani, Tehsil Gharghora,
District Raigarh (M.P.)

18. Janmejay Pekra,
S/o Shri Jaldhar Pekra,
Working as Rasoiya,
R/o Rajpur, Tehsil Gharghora,
District Raigarh (M.P.)

19. Surendra Kumar Devangan,
S/o Shri Bharat Lal,
Working as Rasoiya,
R/o Sighra, Tehsil Shakti,
District Bilaspur (M.P.)

20. Komal Kumar Patel,
S/o Shri Nankuram,
Working as Waterman,
R/o Dharmjaygarh, Tehsil Dharmjaygarh, District Raigarh (M.P.)

21. Ramjan Ratre,
S/o Shri Ramdheen Ratre,
Working as Waterman,
R/o Basinbahra, Tehsil Sarangarh,
District Raigarh (M.P.)

OA 102/99 Of. Soni Bon.

(9)

/4/

22. Deenbandhu Sahu,
S/o Shri Girdhari Sahu,
Working as Rasoiya,
R/o Chiraipani, Tehsil Raigarh,
District Raigarh (M.P.)

23. Phulram Sidar,
S/o Shri Chandrika Prasad,
Working as Choukidar,
R/o Tiur, Tehsil Kharsiya,
District Raigarh (M.P.)

24. Devendra Kumar Sahu,
S/o Shri Chandan Singh Sahu,
Working as Peon,
R/o Sodka, Tehsil Kharsiya,
District Raigarh (M.P.)

25. Khushi Ram Choudhri,
S/o Shri Gangaram Choudhri,
Working as Prayogshala Paricharak
R/o Lelunga, Tehsil Gharghora,
District Raigarh (M.P.)

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-Versus-

Respondents :

1. State of Madhya Pradesh,
Through : Secretary,
Tribel Welfare Department,
Bhopal (M.P.)

2. The Commissioner, Tribel
Development, M.P.,
Bhopal (M.P.)

3. The Deputy Commissioner,
Tribel Development,
Bilaspur Division,
Bilaspur (M.P.)

(18)

/5/

4. The Assistant Commissioner,
Tribel Development Raigarh,
District Raigarh (M.P.)

5. The Collector,
Tribel Welfare Branch,
District Raigarh (M.P.)

APPLICATION UNDER SECTION 19 OF ADMINISTRATIVE TRIBUNALS ACT, 1985 :

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(s) No. 1770/2005

Petitioners — Umesh Prasad Soni & others

Versus

Respondents — State of Madhya Pradesh & others

SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Shri Goutam Khetrapal, counsel for the petitioners.

Shri Ajay Dwivedi, Panel lawyer for the respondents/State.

ORAL ORDER

(31st August, 2006)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. The petitioners were appointed on various posts, as below:-

Name of the petitioner	Post	Date of appointment	Date of Regular pay scale
Umesh Prasad Soni	Peon	7.3.91	30.6.94
Stephan Tigga	Peon	30.6.93	20.11.96
Munku Ram	Chowkidar	4.10.93	20.11.96
Jagmohan Singh	Cook	26.6.93	-
Kanhaiya Ram	Waterman	19.8.92	-
Hira Ram	Waterman	19.7.89	18.12.93
Sadanand Sai	Cook	7.7.89	18.12.93
Manohar Lal Patel	Waterman	18.10.93	1.8.96
Hoshiyar Lal	Chowkidar	-	1.8.96
Bijeshwar Ram	Waterman	1.1.89	1.11.97
Sahdev Ram	Waterman	31.7.91	1.11.97
Mahadev Ram	Waterman	31.8.89	1.11.97
Mahtoram	Cook	13.2.92	1.11.97
Lalluram	Cook	20.7.94	1.11.97
Jageshwar Das	Peon	19.7.89	30.7.93
Gowardhan Ram	Chowkidar	1.8.90	17.11.94
Mohit Ram	Chowkidar	3.1.89	30.7.93
Janmejay Paikra	Cook	Feb. 89	6.4.92
Surendra Kumar Dewangan	Cook	9.11.92	2.3.93
Komal Kumar Patel	Waterman	7.8.92	2.3.93
Ramjan Ratre	Waterman	24.2.94	29.8.97
Dinbandhu Sahu	Cook	20.3.91	26.4.94

106

Fhulram Sidar	Chowkidar	20.12.90	30.5.97
Devendra Kumar Sahu	Peon	24.10.90	-
K.R. Choudhari	Laboratory Operator	14.12.92	26.6.97

and the petitioners were granted regular pay scale also as per the above mentioned chart.

2. The regular pay scales granted to the petitioners were withdrawn vide circular dated 4.10.97 (Annexure A/1), admittedly, without show cause notice to the petitioners.

3. Learned counsel appearing for the petitioners submits that the same facts and questions of law has been considered by this Court in W.P. (s) No. 1792 of 2005 (Manmohan Patel & others Vs. State of Madhya Pradesh & others) and this Court has allowed the writ petition, quashing the impugned order dated 4.10.97 (Annexure P/1). Learned counsel appearing for the petitioner further submits that cases of the petitioners in the present petition are squarely covered by order dated 11th July, 2006 passed in W.P. (s) No. 1792 of 2005 (Manmohan Patel & others Vs. State of Madhya Pradesh & others).

4. Learned counsel appearing for the respondents/State agrees with the submission made by learned counsel appearing for the petitioners.

5. For the reasons stated-above, the writ petition is allowed and the impugned order dated 4.10.97 (Annexure A/1) is quashed in terms of the order dated 11th July, 2006 passed by this Court in W.P. (s) No. 1792 of 2005. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

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